

PATENT

Attorney Docket No. 76597.010100

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

**C. Thomas HENDRICKSON et al.**Serial No.: **10/642,865**Filed: **August 18, 2003**For: **Techniques for Valuing, Insuring, and Certifying  
a Valuation of Landscape Architectures**SUBMISSION OF STATEMENT UNDER 37 CFR 3.73(b)Total Pages: 10

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Sir:

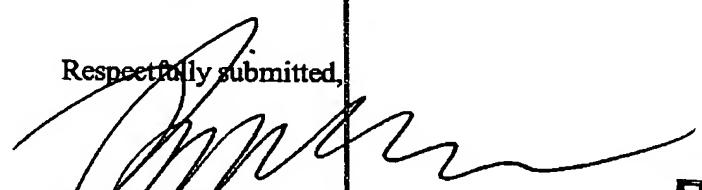
## CERTIFICATE OF FACSIMILE TRANSMISSION

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS  
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 AT (571) 273-8300  
 ON October 3, 2005  
 BY Sandra Ferony  
 SANDRA FERONY

Further to the August 15, 2005 filing of a Revocation of Power of Attorney with New Power of Attorney and Change of Correspondence Address (copy enclosed), transmitted herewith is a Statement Under 37 CFR 3.73(b) along with a copy of an assignment from the inventor(s).

Please change the records accordingly.

Respectfully submitted,

  
 Richard E. Kurtz, II  
 Reg. No.: 33,936

**GREENBERG TRAURIG, LLP**  
 1750 Tysons Blvd, 12<sup>th</sup> Floor  
 McLean, Virginia 22102  
 703-903-7536  
 Filed: October 3, 2005

  
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REVOCATION OF POWER OF  
ATTORNEY WITH  
NEW POWER OF ATTORNEY  
AND  
CHANGE OF CORRESPONDENCE ADDRESS

Application Number	10/642,865
Filing Date	August 18, 2003
First Named Inventor	C. Thomas Hendrickson
Art Unit	3529
Examiner Name	Vig, Naresh
Attorney Docket Number	Hortic. Asset Mgt.

I hereby revoke all previous powers of attorney given in the above-identified application.

 A Power of Attorney is submitted herewith.

OR

 I hereby appoint the practitioners associated with the Customer Number:

22191

 Please change the correspondence address for the above-identified application to: The address associated with  
Customer Number:

22191

OR

 Firm or  
Individual Name

Address

City

State

Zip

Country

Telephone

Email

I am the:

 Applicant/Inventor. Assignee of record of the entire interest. See 37 CFR 3.71.  
Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)**SIGNATURE of Applicant or Assignee of Record**

Signature

Name

Date

Douglas Cowles

Telephone (919) 832-8123

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

 Total of \_\_\_\_\_ forms are submitted.

This collection of information is required by 37 CFR 1.36. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 3 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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**STATEMENT UNDER 37 CFR 3.73(b)**Applicant/Patent Owner: C. Thomas HendricksonApplication No./Patent No.: 10/842,885 Filed/Issue Date: August 18, 2005

Entitled: Techniques for Valuing, Insuring, and Certifying a Valuation of Landscape Architectures

Horticultural Asset Management, Inc., a Corporation  
 (Name of Assignee) (Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1.  the assignee of the entire right, title, and interest; or
2.  an assignee of less than the entire right, title and interest.  
 The extent (by percentage) of its ownership interest is \_\_\_\_\_ %

in the patent application/patent identified above by virtue of either:

A.  An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel 014890, Frame 0147, or for which a copy thereof is attached.

OR

B.  A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below.

1. From: \_\_\_\_\_ To: \_\_\_\_\_  
 The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_ Frame \_\_\_\_\_, or for which a copy thereof is attached.

2. From: \_\_\_\_\_ To: \_\_\_\_\_  
 The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_ Frame \_\_\_\_\_, or for which a copy thereof is attached.

3. From: \_\_\_\_\_ To: \_\_\_\_\_  
 The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_ Frame \_\_\_\_\_, or for which a copy thereof is attached.

Additional documents in the chain of title are listed on a supplemental sheet.

Copies of assignments or other documents in the chain of title are attached.

[NOTE: A separate copy (i.e., a true copy of the original assignment document(s)) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.



Signature

9/27/05

Date

Douglas Cowles

(919) 532-8123

Printed or Typed Name

Telephone Number

Executive Vice President and COO

Title

This collection of information is required by 37 CFR 3.73(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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## UNITED STATES PATENT AND TRADEMARK OFFICE

UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AND  
DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE

JULY 24, 2004

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ALEXANDRIA, VA 22313-1404

\*102650518A\*

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PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 01/15/2004

REEL/FRAME: 014890/0147  
NUMBER OF PAGES: 5

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:

HENDRICKSON, C. THOMAS

DOC DATE: 08/20/2003

ASSIGNOR:

GLYNN, WILLIAM P.

DOC DATE: 08/20/2003

ASSIGNOR:

ARGAY, DAVID J.

DOC DATE: 08/20/2003

ASSIGNOR:

REINERT, GORDON A.

DOC DATE: 09/30/2003

ASSIGNOR:

KARLIN, KEVIN; BURNS, DOANE, SWECKER & MATHIS, LLP.  
RECEIVED

DOC DATE: 09/30/2003

ASSIGNOR:

ANDRUS, DAVID L.

DOC DATE: 09/30/2003

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033460-002

014890/0147 PAGE 2

ASSIGNEE:

HORTICULTURAL ASSET MANAGEMENT,  
INC.  
P.O. BOX 41228  
RALEIGH, NORTH CAROLINA 27629

SERIAL NUMBER: 10642865

FILING DATE: 08/18/2003

PATENT NUMBER:

ISSUE DATE:

TITLE: TECHNIQUES FOR VALUING, INSURING, AND CERTIFYING A VALUATION OF  
LANDSCAPE ARCHITECTURES

DIANE RUSSELE, PARALEGAL  
ASSIGNMENT DIVISION  
OFFICE OF PUBLIC RECORDS

Form PTO-1595  
(Rev. 03/01;  
OMB No.0651-0027 (exp. 5/31/2002)

01-21-2004

U.S. DEPARTMENT OF COMMERCE  
U.S. Patent and Trademark Office

Attorney's Docket No. 033960-002

To the Director of the United States

102650518

attached original documents or copy thereof.

1. Name of conveying party(ies):

1-15-64  
C. Thomas HENDRICKSON, William P. GLYNN, David J. ARGAY, Gordon A. REINERT, Kevin L. KARLIN and David L. ANDRUS

Additional name(s) of conveying party(ies) attached?  Yes  No

3. Nature of conveyance:

Assignment  Merger  
 Security Agreement  Change of Name  
 Other

August 20, August 20,  
August 20, September 30,  
September 30, and September 30,  
Execution Date: 2003, respectively.

2. Name of...  
102650518Name: Horticultural Asset Management, Inc.  
Internal Address:Street Address:  
P.O. Box 41228

City: Raleigh

State: NC Zip: 27629

Additional name(s) & addresses attached?  Yes  No

4. Application number(s) or patent number(s):

If this document is being filed together with a new application, the execution date of the application is:

A. Patent Application No.(s)

10/642,865

B. Patent No.(s)

Additional numbers attached?  Yes  No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: Stephen J. Tytran

Internal Address:

Burns, Doane, Swecker & Mathis, L.L.P.  
Customer Number 21839  
P.O. Box 1404

Street Address:

City: Alexandria

State: VA Zip: 22313-1404

6. Total number of applications and patents involved: 1

7. Total fee (37 CFR 3.41).....\$ 40.00

 Enclosed Authorized to be charged to deposit account

8. Deposit account number:

02-4800

(Attach duplicate copy of this page if paying by deposit account.)

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## 9. Statement and Signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Stephen J. Tytran, Reg. No. 45,846

Name of Person Signing

Signature

January 12, 2004

Date

Total number of pages including cover sheet, attachments, and documents: 5

Mail documents to be recorded with required cover sheet information to:

01/29/2004 ECDUPER 00000244 024000 10642865 P.O. Box 1450 / Mail Stop Assignment Recordation Services  
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I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to the Director of the United States Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450.

Attorney Docket No. 033960-002**JOINT ASSIGNMENT**

THIS ASSIGNMENT, by C. Thomas HENDRICKSON, William P. GLYNN, David J. ARGAY, Gordon A. REINERT, Kevin L. KARLIN, and David L. ANDRUS residing at 1915 Old Bunn Road, Zebulon, North Carolina 27597; 111 Dunedin Court, Cary, North Carolina 27511; 101 Rutherford Drive, Cary, North Carolina 27511; 1405 Alpine Avenue, Boulder, Colorado 80304; 9268 Desert Willow Road, Highlands Ranch, Colorado 80126; and 2554 Linden Drive, Boulder, Colorado 80304. (hereinafter referred to as "the Assignors"), witnesseth:

WHEREAS, the Assignor has Invented certain new and useful improvements in the application for Letters Patent of the United States, entitled:

Techniques for Valuing, Insuring, and Certifying a Valuation of Landscape Architectures

- (1)  which is a provisional application
  - (a)  bearing Application No. \_\_\_\_\_, filed on \_\_\_\_\_;
  - (b)  to be filed herewith; or
- (2)  which is a non-provisional application
  - (a)  bearing Application No. 10/642,865, filed on August 18, 2003;
  - (b)  having an oath or declaration executed on even date herewith prior to filing of application;
  - (c)  having an oath or declaration executed on a different date than this Assignment; and

WHEREAS, Horticultural Asset Management, Inc., a corporation duly organized under and pursuant to the laws of Delaware and having its principal place of business at P.O. Box 41228, Raleigh, North Carolina 27629,

(hereinafter referred to as "the Assignee"), is desirous of acquiring the entire right, title, and interest in and to said inventions, the right to file applications on said inventions and the entire right, title and interest in and to any applications, including provisional applications for Letters Patent of the United States or other countries claiming priority to said application, and in and to any Letters Patent or Patents, United States or foreign, to be obtained therefor and thereon.

NOW, THEREFORE, in consideration of One Dollar (\$1.00) and other good and sufficient consideration, the receipt of which is hereby acknowledged, the Assignors have sold, assigned, transferred, and set over, unto the Assignee, its successors, legal representatives, and assigns the entire right, title, and interest in and to the above-mentioned inventions, the Letters Patent of the United States or other countries claiming priority to said applications, and any and all continuations, and continuations-in-part of said applications, and reissues and extensions of said Letters Patent or Patents, and all rights under the International Convention for the Protection of Industrial Property, the same to be held and enjoyed by the Assignee, for its own use and behoof and the use and behoof of its successors, legal representatives, and assigns, to the full end of the term or terms for which Letters Patent or Patents may be granted as fully and entirely as the same would have been held and enjoyed by the Assignors had this sale and assignment not been made;

Application No. 10/642,865  
 Attorney Docket No. 033960-002

AND for the same consideration, the Assignors hereby covenant and agree to and with the Assignee, its successors, legal representatives, and assigns, that, at the time of execution and delivery of these presents, the Assignors are the sole and lawful owners of the entire right, title, and interest in and to the inventions set forth in said applications and said applications, including provisional applications above-mentioned, and that the same are unencumbered, and that the Assignors have good and full right and lawful authority to sell and convey the same in the manner herein set forth;

AND for the same consideration, the Assignors hereby covenant and agree to and with the Assignee, its successors, legal representatives, and assigns that the Assignors will, whenever counsel of the Assignee, or the counsel of its successors, legal representatives, and assigns, shall advise that any proceeding in connection with said inventions or said applications for Letters Patent or Patents, or any proceeding in connection with Letters Patent or Patents for said inventions in any country, including interference proceedings, is lawful and desirable, or that any application claiming priority to said application, division, continuation, or continuation-in-part of any applications for Letters Patent or Patents, or any reissue or extension of any Letters Patent or Patents to be obtained thereon, is lawful and desirable, sign all papers and documents, take all lawful oaths, and do all acts necessary or required to be done for the procurement, maintenance, enforcement, and defense of Letters Patent or Patents for said inventions, without charge to the Assignee, its successors, legal representatives, and assigns, but at the cost and expense of the Assignee, its successors, legal representatives, and assigns;

AND the Assignors hereby authorize and request the attorneys of Burns, Doane, Swecker & Mathis, L.L.P. of Alexandria, Virginia to insert in the spaces provided above the filing date, application number, and attorney docket number of said application when known.

AND the Assignors hereby request the Director of the United States Patent and Trademark Office to issue any and all said Letters Patent of the United States to the Assignee as the Assignee of said inventions, the Letters Patent to be issued for the sole use and behoof of the Assignee, its successors, legal representatives, and assigns.

Date: August 18, 2003

Signature of Assignor

C. Thomas HENDRICKSON

Date: August 18, 2003

Signature of Assignor

William P. GLYNN

Date: Aug 18, 2003

Signature of Assignor

David J. ARGAY

Date: \_\_\_\_\_

Signature of Assignor

Gordon A. REINERT

Date: \_\_\_\_\_

Signature of Assignor

Kevin L. KARLIN

Date: \_\_\_\_\_

Signature of Assignor

David L. ANDRUS

Date: \_\_\_\_\_

Signature of Assignor

Date: \_\_\_\_\_

Signature of Assignor

Date: \_\_\_\_\_

Signature of Assignor

Application No. 10/642,865  
 Attorney Docket No. 033960-002

AND for the same consideration, the Assignors hereby covenant and agree to and with the Assignee, its successors, legal representatives, and assigns, that, at the time of execution and delivery of these presents, the Assignors are the sole and lawful owners of the entire right, title, and interest in and to the inventions set forth in said applications and said applications, including provisional applications, above-mentioned, and that the same are unencumbered, and that the Assignors have good and full right and lawful authority to sell and convey the same in the manner herein set forth;

AND for the same consideration, the Assignors hereby covenant and agree to and with the Assignee, its successors, legal representatives, and assigns that the Assignors will, whenever counsel of the Assignee, or the counsel of its successors, legal representatives, and assigns, shall advise that any proceeding in connection with said inventions or said applications for Letters Patent or Patents, or any proceeding in connection with Letters Patent or Patents for said inventions in any country, including interference proceedings, is lawful and desirable, or that any application claiming priority to said application, division, continuation, or continuation-in-part of any applications for Letters Patent or Patents, or any reissue or extension of any Letters Patent or Patents to be obtained thereon, is lawful and desirable, sign all papers and documents, take all lawful oaths, and do all acts necessary or required to be done for the procurement, maintenance, enforcement, and defense of Letters Patent or Patents for said inventions, without charge to the Assignee, its successors, legal representatives, and assigns, but at the cost and expense of the Assignee, its successors, legal representatives, and assigns;

AND the Assignors hereby authorize and request the attorneys of Burns, Doane, Swecker & Mathis, L.L.P. of Alexandria, Virginia to insert in the spaces provided above the filing date, application number, and attorney docket number of said application when known.

AND the Assignors hereby request the Director of the United States Patent and Trademark Office to issue any and all said Letters Patent of the United States to the Assignee as the Assignee of said inventions, the Letters Patent to be issued for the sole use and behoof of the Assignee, its successors, legal representatives, and assigns.

Date: _____	Signature of Assignor	C. Thomas HENDRICKSON
Date: _____	Signature of Assignor	William P. GLYNN
Date: _____	Signature of Assignor	David J. ARGAY
Date: _____	Signature of Assignor	Gordon A. REINERT
Date: <u>9/30/03</u>	Signature of Assignor	<u>K-A-R-L-I-N</u> Kevin L. KARLIN
Date: _____	Signature of Assignor	David L. ANDRUS
Date: _____	Signature of Assignor	_____
Date: _____	Signature of Assignor	_____
Date: _____	Signature of Assignor	_____
Date: _____	Signature of Assignor	_____

 BURNS, DOANE

JOINT ASSIGNMENT

Page 2 of 2

Application No. 10/642,865  
 Attorney Docket No. 033960-002

AND for the same consideration, the Assignors hereby covenant and agree to and with the Assignee, its successors, legal representatives, and assigns, that, at the time of execution and delivery of these presents, the Assignors are the sole and lawful owners of the entire right, title, and interest in and to the inventions set forth in said applications and said applications, including provisional applications, above-mentioned, and that the same are unencumbered, and that the Assignors have good and full right and lawful authority to sell and convey the same in the manner herein set forth;

AND for the same consideration, the Assignors hereby covenant and agree to and with the Assignee, its successors, legal representatives, and assigns that the Assignors will, whenever counsel of the Assignee, or the counsel of its successors, legal representatives, and assigns, shall advise that any proceeding in connection with said Inventions or said applications for Letters Patent or Patents, or any proceeding in connection with Letters Patent or Patents for said Inventions in any country, including Interference proceedings, is lawful and desirable, or that any application claiming priority to said application, division, continuation, or continuation-in-part of any applications for Letters Patent or Patents, or any reissue or extension of any Letters Patent or Patents to be obtained thereon, is lawful and desirable, sign all papers and documents, take all lawful oaths, and do all acts necessary or required to be done for the procurement, maintenance, enforcement, and defense of Letters Patent or Patents for said Inventions, without charge to the Assignee, its successors, legal representatives, and assigns, but at the cost and expense of the Assignee, its successors, legal representatives, and assigns;

AND the Assignors hereby authorize and request the attorneys of Burns, Doane, Swecker & Mathis, L.L.P. of Alexandria, Virginia to insert in the spaces provided above the filing date, application number, and attorney docket number of said application when known.

AND the Assignors hereby request the Director of the United States Patent and Trademark Office to issue any and all said Letters Patent of the United States to the Assignee as the Assignee of said inventions, the Letters Patent to be issued for the sole use and behoof of the Assignee, its successors, legal representatives, and assigns.

Date: _____	Signature of Assignor	C. Thomas HENDRICKSON
Date: _____	Signature of Assignor	William P. GLYNN
Date: _____	Signature of Assignor	David J. ARGAY
Date: <u>9/30/03</u>	Signature of Assignor	Gordon A. REINERT
Date: <u>9/30/03</u>	Signature of Assignor	Kevin J. KARLIN
Date: _____	Signature of Assignor	David L. ANDRUS
Date: _____	Signature of Assignor	_____
Date: _____	Signature of Assignor	_____
Date: _____	Signature of Assignor	_____
Date: _____	Signature of Assignor	_____

**BURNS, DOANE,**

**JOINT ASSIGNMENT**

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